

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

EMILY MAIS,

Plaintiff,

V.

**ALBEMARLE COUNTY SCHOOL
BOARD,**

Defendant.

Civil Action No. 3:22-cv-51

Honorable Norman K. Moon

CONSENT MOTION TO AMEND PRETRIAL ORDER

Plaintiff and Defendant, by counsel, jointly move the Court to amend the scheduling order for the following reasons.

1. On September 21, 2022, the Court entered a Pretrial Order (ECF No. 5) containing certain deadlines running from the date of the order.
2. On September 23, 2022, the Court granted Defendant's Motion to Set Briefing Schedule (ECF No. 6), which established October 7, 2022, as the deadline for Defendant to file a motion to dismiss.
3. On October 7, 2022, Defendant filed a motion to dismiss.
4. Under the briefing schedule entered by the Court, Plaintiff has until November 4, 2022, to file a response to the motion to dismiss, and Defendant has until November 18, 2022, to file a reply brief.

5. Because the parties are presently engaged in briefing a dispositive motion, they believe it best preserves the parties' and the court's resources to defer the deadlines contained in the Pretrial Order until the disposition of the motion to dismiss.

6. Therefore, the parties propose that the deadlines in the Pretrial Order run from the date of the disposition of the motion to dismiss, rather than the date of the Pretrial Order as follows:

a. Rule 26(f) conference: 14 days from the disposition of the motion to dismiss;

b. Rule 26(a)(1) disclosures: 30 days from the disposition of the motion to dismiss;

c. Plaintiff's initial expert disclosures: 75 days from the disposition of the motion to dismiss;

d. Defendant's initial expert disclosures: 90 days from the disposition of the motion to dismiss.

7. The remaining deadlines in the Pretrial Order run from the trial date, which the parties propose setting with the scheduling clerk upon the disposition of the motion to dismiss.

WHEREFORE, the parties respectfully request that the Court enter an Order amending the Pretrial Order as set out above.

Respectfully submitted this 21st day of October, 2022.

s/ Jeremy D. Capps

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CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2022, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following counsel of record who are registered users of the ECF system:

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